

ASSEMBLY BILL

No. 625

Introduced by Assembly Member Spitzer

February 19, 2003

An act to add Section 22658.3 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 625, as introduced, Spitzer. Vehicles: towing: storage charge.

Existing law provides a procedure for the release of a vehicle that have been placed in storage following its removal for parking or left standing when a city or county has prohibited parking and authorized by posted signs the removal of the vehicle.

This bill would require a storage facility operator or keeper who holds a vehicle that is placed in storage following its removal under the above circumstances and, upon the demand of the registered owner or the owner's agent, to release the vehicle within one hour of that demand if certain conditions apply. The bill would prohibit a storage facility operator or keeper who violates the above requirement from imposing any storage charges for the vehicle.

Because a failure to comply with this requirement would be a crime this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22658.3 is added to the Vehicle Code,
2 to read:
3 22658.3. (a) The storage facility operator or keeper who
4 holds a vehicle that is placed in storage following its removal
5 under subdivision (n) of Section 22651 shall, upon the demand of
6 the registered owner or the owner's agent, release the vehicle
7 within one hour of that demand if the following conditions apply:
8 (1) The vehicle was removed from a location within two miles
9 of the venue of a special event for which a permit was obtained
10 from a city or county.
11 (2) The towing service responsible for the tow was under
12 contact with the city or county for the removal of vehicles parked
13 in violation of subdivision (n) of Section 22651.
14 (3) At least 24 hours prior to the occurrence of the special
15 event, the towing service and, if different, the storage facility
16 operator or keeper, was informed about the special event and its
17 hours of operation.
18 (b) A storage facility operator or keeper who is in violation of
19 subdivision (a) may not impose any storage charges for the
20 vehicle.
21 SEC. 2. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district will be incurred because this act creates a new crime or
25 infraction, eliminates a crime or infraction, or changes the penalty
26 for a crime or infraction, within the meaning of Section 17556 of
27 the Government Code, or changes the definition of a crime within
28 the meaning of Section 6 of Article XIII B of the California
29 Constitution.

